

KNOTTY PROBLEM PUT BEFORE COURT

Virginia Debt Case Staggering in Its Intricacy.

NEARLY A WEEK FOR ARGUMENT

Not in Years Has Supreme Court Granted So Much Time to Hearing of One Case—Holmes, Conrad, for Bondholders, Begins Laying Foundation for Contest.

Washington, D. C., January 20.—The staggering arithmetical problem, complicated by questions of international law, of how much of the \$23,000,000 debt of the old State of Virginia West Virginia should bear, was laid to-day before the Supreme Court of the United States for its solution. Recognizing the intricacy of the problem and the importance of the outcome, the court consented to devote practically all its time next Thursday to hearing of arguments in the case. This is more time than has been given to any case argued before the Supreme Court of the United States within many years.

The debt of Virginia, at the time West Virginia was organized, was recognized as about \$23,000,000. Many more millions have been added to that sum as interest. The Commonwealth of Virginia seeks to have West Virginia bear about one-third of the debt. West Virginia denies her liability for one cent. To settle the controversy, it may be necessary for the Supreme Court to review the expenditures and receipts of the State of Virginia since 1825, and figure out from that examination the liabilities.

Bitterness is Shown.
The bitterness of the contest, which has been manifest for years, was revealed to-day by the earnestness of Holmes, Conrad, of Virginia, in opposing the argument. He was the spokesman for the holders of \$15,000,000 worth of certificates, representing a part of the debt. In the present litigation, the certificate holders are urging that West Virginia be required to pay the debt. Conrad only had time to lay before the court part of the foundation for the contest. He took the court back to the days of 1825, when Virginia inaugurated a system of constructing roads and railroads, extending from the Atlantic to the Ohio River. That, he said, was the time of the origin of the public debt of Virginia and existed in 1861. The public improvements were "largely, if not entirely, for the development of the coal and oil and mineral wealth that to-day make the State of West Virginia the wealthiest State in the Union," Mr. Conrad told the court.

"Because of the origin of the debt, if for no other reason," he argued, "West Virginia was under a 'recognized liability' to pay her equitable share of it."

Mr. Conrad told of Virginia's struggles to bear the debt, to induce West Virginia to assume its share, and finally to find relief from the burden by issuing new bonds to pay the debt of the old and giving certificates to the old bondholders for the other third. This was done with the understanding, Mr. Conrad said, that the State of Virginia would be liable for the remaining third, if West Virginia did not pay it. He acknowledged that Virginia's liability for the remaining third was disputed, and also Virginia's right to sue West Virginia for the third. He claimed that Virginia had a right to sue as a "trustee."

Just before court adjourned, he said two plans would be advanced for the settlement of the account. One, he designated as the "international law plan," and the other, the "Wheeling ordinance plan." He approved the "Commonwealth" of Virginia in 1906 began an action in the Supreme Court to have an accounting with West Virginia to determine the latter's equitable share of the indebtedness of the old Commonwealth prior to the Civil War, and just before West Virginia was organized as a separate State, Virginia claimed that the indebtedness amounted to more than \$23,000,000.

Arguing Exceptions.
West Virginia objected to the suit, but the Supreme Court sustained the contention of Virginia on this point, and finally appointed as special master, former Representative Charles E. Littlefield, of Maine, to take testimony, evidently with a view to settlement. Mr. Littlefield reported, but both sides took exceptions to his report. To-day, the case was set for argument of the exceptions.

The equities of such situations are complicated by the so-called Wheeling ordinance and enactments and acts of the two States. The ordinance adopted at Wheeling providing for the formation of the new State contained a provision that the new State should take upon itself a just proportion of the public debt of Virginia, to be ascertained by charging to it all State expenditures within the limits thereof, and a just proportion of the ordinary expenses of the Virginia government since any part of the debt was contracted, and deducting therefrom the moneys paid into the Virginia treasury from the counties within the new State. Virginia claims that West Virginia should pay at least one-third of the debt, about \$1,000,000, but some years ago, West Virginia took the position that a settlement according to the Wheeling ordinance would put Virginia actually in debt to West Virginia in the sum of \$12,000,000. West Virginia now claims that Virginia cannot require it to pay one-third of the debt, because the bondholders of that amount

(Continued on Fifth Page.)

AN AGREEMENT REACHED

Reciprocity Commissioners Have Almost Completed Their Task.

Washington, D. C., January 20.—Within two days from the date on which the Canadian reciprocity commissioners began their conferences in Washington, an agreement has been reached, so far as the executive branches of the governments of the United States and Canada are concerned, that will result in the substantial reduction of customs duties on a large number of products, natural and manufactured, of the two countries.

The individual commissioners feel themselves bound to refrain from giving the least intimation as to the progress of their negotiations, and that information will be withheld until the sessions of the commission have reached an end. As soon as that is done, the President will take the necessary steps to bring the matter to the attention of Congress. No good reason is seen why all purposes will not be served by the passage of a simple joint resolution by the Senate and House, making the tariff schedules correspond to the rates proposed by the commissioners, so far as they relate to Canadian products only. It is presumed that the Canadian Legislature can deal with the subject in the same way. In which case, there would be no occasion for the intervention of the imperial authorities or for a treaty of any kind. The commissioners expect that the conference tomorrow will conclude the negotiations.

SENSATION IS SPRUNG

Wealthy Ranch Owner Said to Have Been Ketchel's Father.

Marshall, Ark., January 20.—A sensational turn was given to the trial of Walter A. Dibley and Goldie Smith, charged with the murder of Stanley Ketchel, today, when Attorney for the defense announced that he would attempt to show that R. P. Dickerson, the wealthy ranch owner, on whose place Ketchel was killed, was the reputed father of the pugilist.

Several witnesses were asked this question by the defense, "Do you know the relations that existed between Dickerson and Ketchel?"

Judge Skinner ruled this out as improper at this time, as Dickerson had not yet testified in the case.

"We want to show that Dickerson is the father of Ketchel," the defense attorneys said. "The prosecution of the defendants, said Attorney Delaney, 'and that this interest in Dickerson is the father of Ketchel, is the defense intended that it would subpoena Dickerson if the State failed to call him to the stand.'"

BARRED FROM FLOOR

Alabama Lobbyists Must Do Their Work on the Outside.

Montgomery, Ala., January 20.—An attempt to repeal the prohibition legislation, the lower house of the Alabama Legislature, today adopted a rule forbidding lobbyists on the floor of the House while that body is in session, except members, employees and authorized reporters. This shuts out all lobbyists.

The first clash over liquor legislation came on Monday, when the House introduced a bill to amend the liquor laws. The bill was introduced during the session printed, this prohibition, and ended in the defeat of the resolution.

The Senate adopted Senator Allen's resolution, which condemns radicalism, and invites capital to invest in this State.

Senator Frank S. Moody, known as "Father of Temperance in Alabama," introduced a bill which has for its object the establishing of a dispensary in every county in the State. This is the most far-reaching liquor bill so far introduced in Alabama.

The Senate is said to be in favor of local option by a small but working majority. The House is in favor of prohibition, but the local optionists deny this. The local optionists control the Temperance Committee of the House.

JAPAN WANTS PEACE

Has No Desire to Engage in War With United States.

Washington, January 20.—"Japan wants peace. There is not the least shadow in the heart of the Japanese people to have a war with the United States, towards which they feel most friendly, and to which they look as the land of justice and right."

This was the statement made by Bishop M. C. Harris, of the Methodist Episcopal Church in Japan and Korea, who called on President Taft today. Japan, he said, has the same desires and ambitions as this country, the United States, to create a better world, and in the direction of the high civilization.

Bishop Harris, who has lived for nearly forty years in Japan and Korea, "pooh-poohed" the war talk in this country. He declared that Japan, like the United States, would fight only if forced to do so, and then would fight to the last ditch. He said he knew the hearts of the Japanese people, and that it grieved them to know that a few people are trying to make bad blood between the two countries. They look toward America, he added, as their best friend.

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The building, which is three and a half miles in a direct line across the water from the house at Mount Vernon, and more than six miles from the nearest road.

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FINDS NO OBJECTION
Commission Says Reformatory Will Not Disturb Scenery of Mount Vernon.

Washington, D. C., January 20.—The Commission of Fine Arts, which was called upon by President Taft several days ago to decide whether the District of Columbia should be allowed to build a reformatory near Mount Vernon, has decided that on aesthetic grounds it sees no objection to such a charter. The regents of Mount Vernon and others had objected to this institution being so near the home of George Washington.

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